

NOV 22 2004

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ProPat, L.L.C.**Fax**

| | | | |
|---------------|---|---------------|--|
| To: | USPTO Examiner Vivian Chen Art Unit 1773 | From: | Claire Wygand for Cathy R. Moore Phone: (704) 365-4881 Fax: (704) 365-4851 |
| Fax: | (703) 872-9306 | Pages: | 19 pages total Transmittal facsimile cover sheet (1 page) 1-month extension of time (1 page) Fee Sheet (1 page) Power of Attorney (1 page) Change of Address (1 page) Amendment (14 pages) |
| Phone: | | Date: | November 22, 2004 |
| Re: | Application No. 10/884,179 Our Ref.: 02/059 MFE Response to Office Action dated 8/11/04 | CC: | |

Dear Examiner Chen,

Attached are the documents as noted above.

Respectfully submitted,

Claire Wygand
Claire Wygand

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 10/684,179 |
| Filing Date | October 10, 2003 |
| First Named Inventor | KIEHNE |
| Examiner Name | Vivian Chen |
| Art Unit | 1773 |
| Attorney Docket No. | 02/059 MFE |

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number
50-2193

Deposit Account Name

The Director is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 630 | 2003 285 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | | 110.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------------|--------------------------|
| Independent Claims | -20** = | <input type="text"/> | <input type="checkbox"/> |
| Multiple Dependent | - 3** = | <input type="text"/> | <input type="checkbox"/> |
| | | <input type="text"/> | <input type="checkbox"/> |

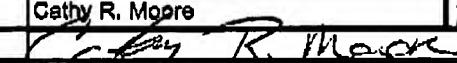
| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 1202 18 | 2202 8 | Claims in excess of 20 |
| 1201 88 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 88 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$) | | |

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity / Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-----------------------------------|---------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1082 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,620 | 1812 2,620 | For filing a request for ex parte reexamination | |
| 1804 820* | 1804 820* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,610 | 1451 1,610 | Petition to Institute a public use proceeding | |
| 1462 110 | 2462 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 885 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 60 | 1807 60 | Processing fee under 37 CFR 1.17(q) | |
| 1808 180 | 1808 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.128(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.128(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | |
| *Reduced by Basic Filing Fee Paid | | | |
| SUBTOTAL (3) (\$) | | | 110.00 |

| SUBMITTED BY | | | |
|-------------------|---|-----------------------------------|-------------------|
| Name (Print/Type) | Cathy R. Moore | Registration No. (Attorney/Agent) | 45,764 |
| Signature |  | Date | November 22, 2004 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.